

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-53631 of 2019
Date of Decision: 20.12.2019

Ravinder

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Sandeep Gahlawat, Advocate
for the petitioner.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.83 dated 22.03.2019 registered for offences punishable under Sections 148, 323, 324, 302, 427, 295-A, 120-B read with Section 149 of Indian Penal Code (for short, "IPC") at Police Station Cheeka, District Kaithal.

Heard.

Notice of motion.

On asking of the Court, Ms. Dimple Jain, A.A.G. Haryana, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with her.

As per case of prosecution, occurrence took place on 22.03.2019 in which several persons named in the FIR attacked the complainant, his father Shamsher and other persons in connection with dispute over digging of foundation of *Gurudwara*. Shamsher later on succumbed to his injuries.

Learned State counsel submits that the petitioner has been attributed *danda* blows to injured and recovery of *danda* was effected from him on his arrest. He was taken into custody on 11.08.2019 and after completion of investigation challan against him has been presented in Court.

Keeping in view submission of learned State counsel and that other co-accused have already been allowed regular bail vide orders dated 17.09.2019, 03.10.2019 and 23.10.2019 passed in CRM-M-38818-2019, CRM-M-41442-2019 and CRM-M-44047-2019, respectively, the present petition is allowed. Petitioner-Ravinder is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the Court.

December 20, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No